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J. Brin Gibson Analyzes How NRC's New Rules Reshape Foreign-Financed Reactor Deals in Law360

Spencer Fane attorney J. Brin Gibson authored the article How NRC's New Rules Alter Foreign-Financed Reactor Deals, recently published by *Law360*.

In his article, Brin examines how the Nuclear Regulatory Commission's implementation of Section 301 of the Advance Act of 2024, effective July 7, now allows investors tied to India or OECD member countries to own a licensed U.S. reactor outright, while sanctions limits, CFIUS review and the NRC's "not inimical" finding remain in place. He explains why small modular reactors, driven by data center power demand, sharpen foreign ownership issues, and outlines practical steps for counsel, including selecting the right deal structure, conducting due diligence at every ownership tier, drafting governance terms that support NRC approval, sequencing NRC, CFIUS and Part 810 approvals, and preserving eligibility after closing.

"The technology companies want the power, and allied capital wants the plants. The deals that close – and stay closed – will be those that settle structure before signing and write eligibility into documents that bind every future owner," Brin wrote.

At the firm, Brin advises companies, boards of directors, and executive leadership teams navigating complex transactional and regulatory legal issues. His experience as a two-term member of the Colorado River Commission – which manages Hoover Dam's power agreements – Chairman and Executive Director of the Nevada Gaming Control Board, and Chief Legal Counsel to Nevada's Governor allow him to close deals subject to intense scrutiny and that require regulators' approval.

Read Brin's full article here. Please note, a subscription may be required.